

**Application No.: 09/729,248****Docket No.: 2336-057****AMENDMENTS TO THE DRAWINGS:**

The attached replacement sheets of drawings include changes to Figs. 5-7.

In FIG. 5, a new terminal has been added, next to original CA-out1 terminal. The new terminal has been labeled as "int-out." This change finds support in the specification, at page 6, line 21.

Similarly, in FIG. 6, a new terminal has been added in box 21, below original CA-out1 terminal. The new terminal has been labeled as "int-out." This change finds support in the specification, at page 7, line 22.

In FIG. 7, the original arrow connecting CA-out1 and box 21-1 has been amended to be a double ended arrow. This change finds support in the specification, at page 7, line 8 (i.e., "two-way communication") and page 9, lines 8-13.

**Attachment:**

➤ Replacement Sheets

**Application No.: 09/729,248****Docket No.: 2336-057****REMARKS**

Applicant appreciates the Examiner's thorough review of the present application, and respectfully requests reconsideration in light of the preceding amendments and the following remarks.

Claims 1-4 and 6-20 are pending in the application. Claims 1 and 6 have been amended to include certain limitations of original claims 3 and 7, respectively. Claim 5 has been cancelled without prejudice or disclaimer. Claims 3-4 and 7-8 have been amended to improve claim language and reflect the changes made to independent claims 1 and 6. New claims 9-20 have been added to provide Applicants with the scope of protection to which they are believed entitled. The specification and FIGs. 5-7 have been revised to provide a consistent description of the disclosed embodiments. The Abstract has been amended to be compliant with commonly accepted US patent practice. No new matter has been introduced through the foregoing amendments.

The art rejections of claims 1-8 as being anticipated by *Bestler* (U.S. Patent No. 5,638,112) or obvious over *Bestler* in view of Applicant's Admitted Prior Art (*APA*) and *Burns* (U.S. Patent No. 6,662,135) are noted. Applicant respectfully traverses the rejections of, at least, claims 3 and 7 because the applied references singly or in combination clearly fail to disclose, teach or suggest all limitations of the rejected claims, namely, the originally claimed **first signal distributor** and **second signal distributor**. The limitations have been incorporated in independent claims 1 and 6 to define over the applied art of record.

In particular, amended claim 1 now recites a channel module apparatus for a cable set-top box comprising a switching block having a first signal distributor and a second signal distributor, wherein the **first signal distributor is arranged to distribute a signal received via a radio frequency input connector as a first signal for outputting to a cable modem tuner and as a second signal, and is arranged to transfer a signal transmitted from the cable modem tuner to**

**Application No.: 09/729,248****Docket No.: 2336-057**

the radio frequency input connector, and the second signal distributor is arranged to distribute the second signal as a third signal for outputting to a television and as a fourth signal; a tuner block for tuning to the fourth signal distributed by the second signal distributor; a channel demodulation block for demodulating an output signal from said tuner block into audio and video signals; and a radio frequency modulation block for modulating the audio and video signals from said channel demodulation block into a television signal. The amended claim finds support in at least FIG. 7 of the instant application. Amended claim 6 includes similar limitations.

The Examiner's position is unclear as to how the applied references teach or suggest the highlighted claim features. In paragraph 4 of the Office Action, the Examiner alleged that *Bestler* teaches both signal distributors, i.e., a first signal distributor at 10 in the figure and a second signal distributor at 12 in the figure. The Examiner then took the opposite position, admitting in the paragraph bridging pages 4-5 of the Office Action that *Bestler* fails to disclose at least one of the claimed signal distributors. Clarification is respectfully requested, so that the Examiner's rejection may be properly understood and responded to.

The Examiner's rejection is further improper, because an adequate suggestion or motivation to combine *Bestler* and *APA* has not been set forth. It is unclear as to where, i.e., in the references themselves or in the knowledge generally available in the art, the Examiner's suggestion to combine *Bestler* and *APA* (page 5, line 9 from bottom of the Office Action) might be found. Clarification is respectfully requested, so that the Examiner's rejection may be properly understood and responded to.

Accordingly, Applicant respectfully submits that a prima facie case of obviousness has not been established, and that original claims 3 and 7, and hence amended claims 1 and 6, are not obvious over the applied references.

Claims 2-4 and 7-13 depend from claim 1 or 6, and are considered patentable at least for the

**Application No.: 09/729,248****Docket No.: 2336-057**

reason advanced with respect to amended claims 1 and 6.

New independent claim 4 is drawn to a channel module apparatus for a cable set-top box, said channel module apparatus comprising a radio frequency input connector connectable to an external cable; a cable connector connectable to an external cable modem tuner; a tuner connection terminal connectable to a tuner of the cable set-top box; a radio frequency output connector connectable to a television; a switching block having a first signal distributor and a second signal distributor, wherein the first signal distributor has an input connected to the radio frequency input connector, a first output connected to the cable connector and a second output, said first signal distributor is configured to distribute a signal received via the radio frequency input connector as a first signal and as a second signal at the first and second outputs, respectively, said first signal distributor is further configured to transfer a signal transmitted, by the cable modem tuner, from the cable connector to the radio frequency input connector, the second signal distributor has an input connected to the second output of said first signal distributor, a third output, and a fourth output connected to the tuner connection terminal, and the second signal distributor is configured to distribute the second signal as a third signal and as a fourth signal at the third and fourth outputs, respectively; a tuner block coupled to the fourth output of the second signal distributor for receiving and tuning to the fourth signal distributed by the second signal distributor; a channel demodulation block coupled to the tuner block for receiving and demodulating an output signal from said tuner block into audio and video signals; and a radio frequency modulation block coupled to said channel demodulation block for receiving and modulating the audio and video signals from said channel demodulation block into a television signal to be outputted to the television. The added claim finds support at least in FIGs. 5-7 of the instant application.

New independent claim 14 includes limitations similar to amended claims 1 and 6 and is therefore believed patentable over the applied references for the same reasons advanced with

**Application No.: 09/729,248****Docket No.: 2336-057**

respect to claims 1 and 6. New independent claim 14 is further patentable over the applied art because the art fails to teach or suggest the claimed tuner connection terminal connectable to a tuner of the cable set-top box.

Claims 15-20 depend from claim 1, and are considered patentable at least for the reason advanced with respect to claim 14.

As to claims 18-20, the applied references fail to disclose, teach or suggest that the channel module apparatus further comprises a **housing** in which said switching block, radio frequency modulation block, tuner block and channel demodulation block are accommodated, and **on which** said **radio frequency input connector, cable connector, tuner connection terminal, and radio frequency output connector** are arranged. In particular, *APA* in FIG. 4 shows a switching block, rather than a channel module apparatus, as presently claimed.

Each of the Examiner's rejections has been traversed/overcome. Accordingly, Applicants respectfully submit that all claims are now in condition for allowance. Early and favorable indication of allowance is courteously solicited.

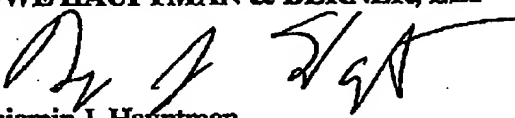
The Examiner is invited to telephone the undersigned, Applicant's attorney of record, to facilitate advancement of the present application.

Application No.: 09/729,248Docket No.: 2336-057

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 07-1337 and please credit any excess fees to such deposit account.


Respectfully submitted,

**LOWE HAUPTMAN & BERNER, LLP**

  
Benjamin J. Hauptman  
Registration No. 29,310

USPTO Customer No. 22429  
1700 Diagonal Road, Suite 310  
Alexandria, VA 22314  
(703) 684-1111 BJH/KL/klb  
(703) 518-5499 Facsimile  
Date: May 25, 2005

**CERTIFICATION OF FACSIMILE TRANSMISSION**  
I HEREBY CERTIFY THAT THIS PAPER IS BEING FACSIMILE TRANSMITTED  
TO THE PATENT AND TRADEMARK OFFICE ON THE DATE SHOWN BELOW

  
TYPE OR PRINT NAME OF PERSON SIGNING CERTIFICATION  
Kindra Bryant  
SIGNATURE  
DATE May 25, 2005  
FACSIMILE NUMBER 703-872-9306